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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: )  
RUECKER et al. )  
Serial No.: 10/784,148 )  
Filed: February 20, 2004 )  
Atty. File No.: 2997-19-1 )  
For: "SOLVENTLESS EXTRACTION )  
PROCESS" )

Group Art Unit: 1632  
Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE**  
**STATEMENT**

**Mail Stop: Amendments**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

<p style="text-align: center;">CERTIFICATE OF MAILING</p> <p>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313 ON THIS <u>2</u> DAY OF <u>September</u>, 2004.</p> <p style="text-align: right;">SHERIDAN ROSS P.C.</p> <p>BY: <u>Chasity C. Rossum</u> Chasity C. Rossum</p>
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Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner.

- ☒ Copies of the cited foreign patents and/or non-patent references are enclosed herewith.
- ☒ Copies of the cited U.S. patents and/or U.S. patent application publications are not enclosed

in accordance with the waiver dated July 11, 2003, whereby patent applications filed after June 30, 2003 and international applications that have entered the national stage under 35 U.S.C. § 371 after June 30, 2003 need not submit copies of U.S. patents and U.S. patent application publications.

- ☐ Are not enclosed, in accordance with 37 C.F.R. 1.98(d), because the references were submitted to the U.S. Patent and Trademark Office in prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

☐ To the best of applicants' belief, the pertinence of the foreign-language references are believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.

☐ Examiner's attention is directed to the following co-pending application(s) for which priority is not being claimed, copies have been or are being submitted:

Serial No. \_\_\_\_\_ filed \_\_\_\_\_ (Atty. Dckt. No. \_\_\_\_\_)

☐ Examiner's attention is directed to the following co-pending application(s), to which the current application claims priority, copies of at least the claims for such pending application are provided or have been provided:

Serial No. \_\_\_\_\_ filed \_\_\_\_\_ (Atty. Dckt. No. \_\_\_\_\_)

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented. Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

#### FEES

<input checked="" type="checkbox"/>	<p><b>37 CFR 1.97(b):</b> No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith is satisfies one of the following conditions ("X" indicates satisfaction):</p> <div style="margin-left: 20px;"> <input type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or  <input type="checkbox"/> Within three months of the date of entry into the national stage of an international application as set forth in 37 CFR 1.491 or  <input checked="" type="checkbox"/> Before the mailing date of a first Office Action on the merits, or  <input type="checkbox"/> Before the mailing of a first Office action after the filing of a Request for Continued Examination (RCE) under 37 CFR 1.114.         </div> <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
<input type="checkbox"/>	<p><b>37 CFR 1.97(c):</b> The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <div style="margin-left: 20px;">           (1) a final action under 37 C.F.R. 1.113 or            (2) a notice of allowance under 37 C.F.R. 1.311, or            (3) an action that otherwise closes prosecution in the application.         </div> <p>This Information Disclosure Statement is accompanied by:</p> <div style="margin-left: 20px;"> <input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.         </div> <p style="text-align: center;">OR</p> <div style="margin-left: 20px;"> <input type="checkbox"/> A check in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.         </div>
<input type="checkbox"/>	<p><b>37 CFR 1.97(d):</b> This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <div style="margin-left: 20px;"> <input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e)         </div> <p style="text-align: center;">AND</p> <div style="margin-left: 20px;"> <input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Enclosed is the fee in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970.         </div> <p>Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.</p>



**Certification (37 C.F.R. 1.97(e))**  
(Applicable only if checked)

☐ The undersigned certifies that:

☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).

☐ A copy of the communication from the foreign patent office is enclosed.

OR

☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

SHERIDAN ROSS, P.C.

By: \_\_\_\_\_

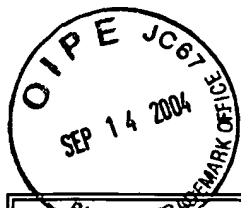
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*September 2, 2004*

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SHEET 1 OF 2

PATENT & TRADEMARK OFFICE FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 2997-19-1	SERIAL NO. 10/784,148
		APPLICANT RUECKER et al.	
		FILING DATE February 20, 2004	GROUP ART 1621

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.
	1	6,166,231	12/26/00	Hoeksema	554	12	
	2	6,255,505	7/3/01	Bijl et al.	554	227	
	3	5,928,696	7/27/99	BEST et al.	426	417	
	4	5,539,133	7/23/96	KOHN et al.	554	20	
	5	5,179,012	1/12/93	GUDIN et al.	435	125	
	6	5,130,242	7/14/92	BARCLAY	435	134	
	7	4,720,456	1/19/88	WAGNER et al.	435	74	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO
	8	WO 01/53512	7/26/2001	PCT	C12P	7/64		
	9	WO 98/03671	1/29/1998	PCT	C12P	7/64		
	10	WO 97/04121	2/6/1997	PCT	C12P	7/64		
	11	WO 96/05278	2/22/1996	PCT	C11B	1/10	X (Abstract Only)	

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  <b>INFORMATION DISCLOSURE STATEMENT</b> (Use several sheets if necessary)	ATTY. DOCKET NO. 2997-19-1	SERIAL NO. 10/784,148
	APPLICANT RUECKER et al.	
	FILING DATE February 20, 2004	GROUP ART 1621

## OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

	12	Ayres et al., <i>Letters Applied Microbiol.</i> , 27(6):372-374 (1998) Abstract
	13	European Search Report dated July 30, 2004 for European Patent Application No. 01942672.5 Entitled "Solventless Extraction Process"
	14	Harrison et al., <i>Bioseparation</i> , 2(2):95-105 (1991)
	15	International Preliminary Examination Report dated May 6, 2002 for International Patent Application No. PCT/US01/01806
	16	International Preliminary Examination Report dated September 27, 2002 for International Patent Application No. PCT/US01/01806
	17	International Search Report dated May 22, 2001 for International Patent Application No. PCT/US01/01806
	18	Medina et al., <i>Biotech. Adv.</i> , 16(3):517-580 (1998)
	19	Privett et al., <i>Progr. Chem. Fats Lipids</i> , 9(P43), 407-52 (1968)
	20	Written Opinion dated September 25, 2001 in International Patent Application No. PCT/US01/01806

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	